

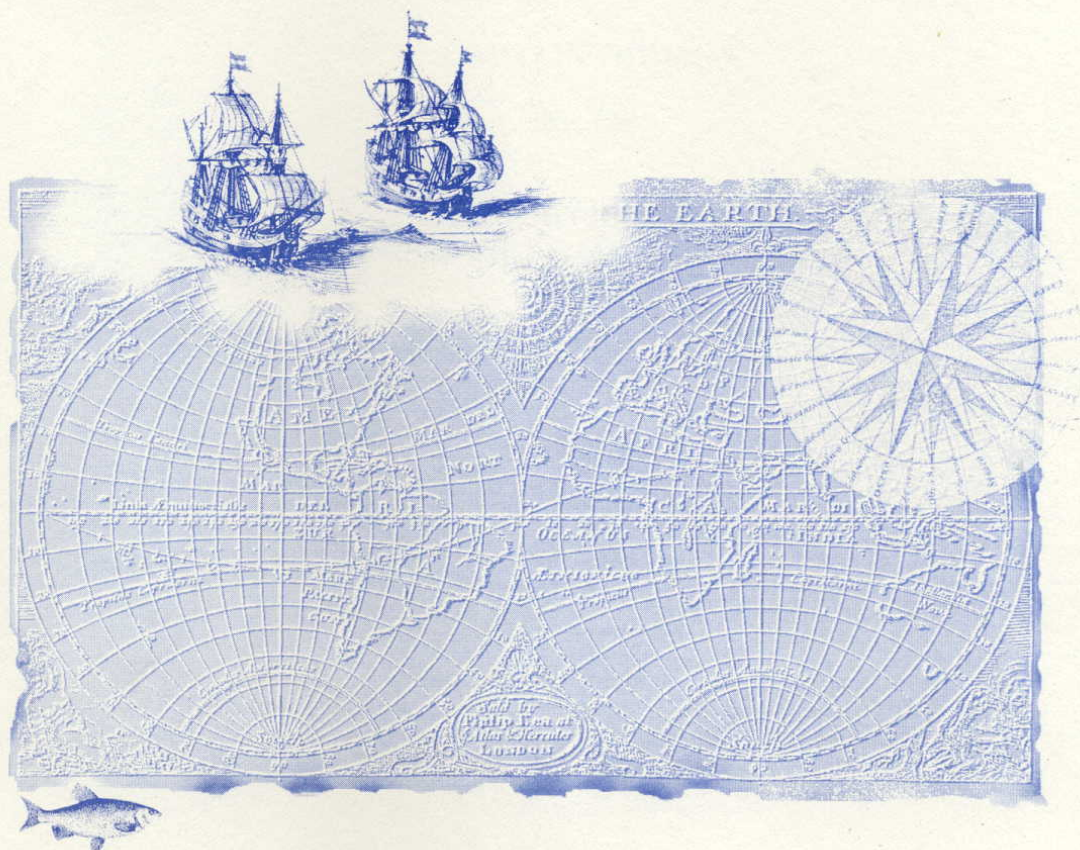
United States Department of State
*Bureau of Oceans and International
Environmental and Scientific Affairs*



Limits in the Seas

No. 120

**Straight Baseline and
Territorial Sea Claims:
Japan**



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STRAIGHT BASELINE AND TERRITORIAL SEA CLAIMS:

JAPAN

April 30, 1998

**Office of Oceans Affairs
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State**

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INTRODUCTION

This study analyzes the claim to straight baselines made by Japan in the Law to Partially Amend the Law on the Territorial Sea (Law No. 73 of 1996) which entered into force July 20, 1996.¹ The Government of Japan established a system of straight baselines around parts of its coast from which to measure the limits of its territorial sea and other maritime zones. This paper also analyzes Japan's territorial sea claim which is 12 miles off most of its coast, but a lesser breadth in five international straits.²

BASIS FOR ANALYSIS

The United Nations Convention on the Law of the Sea (LOS Convention) reflects customary international law for the principles that underlie the proper and legal establishment of baselines. The rules for drawing baselines are contained in articles 5-11 and 13-14 of the LOS Convention. Article 5 states that "except where otherwise provided in this Convention, the normal baseline for measuring the breadth of the territorial sea is the low-water line along the coast." Paragraph 1 of article 7 is the paramount paragraph that establishes the geographical conditions that must be met should a coastal State elect to claim straight baselines in particular locations. This paragraph states that straight baselines may be drawn only in two specific geographic situations, that is, (a) "in localities where the coastline is deeply indented and cut into", or (b), "if there is a fringe of islands along the coast in its immediate vicinity".³

The purpose of authorizing the use of straight baselines is to allow the coastal State, at its discretion, to enclose those waters which have, as a result of their close interrelationship with the land, the character of internal waters. According to the LOS Convention, "the sea areas lying within the lines must be sufficiently closely linked to the land domain to be subject to the regime of internal waters".⁴ By using straight baselines, a State may also eliminate complex patterns, including enclaves, in its territorial sea, that would otherwise result from the use of normal baselines.⁵

A United Nations study stated that when determining whether "conditions apply which would permit the use of straight baselines it is necessary to focus on the spirit as well as the letter of the first paragraph of article 7" (of the LOS Convention).⁶ And, as a noted

¹ Kampo (Official Gazette), Extraordinary issue No. 140, 14 June 1996, p. 8. See Annex 1 of this study for an English translation of Law No. 73. For an analysis of this law and related laws implemented by Japan on this date, see Moritaka Hayashi, "Japan, New Law of the Sea Legislation," *The International Journal of Marine and Coastal Law*, Vol. 12, No. 4, 570-580 (1997).

² All miles in this study are nautical miles. One nautical mile equals 1,852 meters.

³ LOS Convention, article 7(1); also found in article 4(1) of the Convention on the Territorial Sea and the Contiguous Zone 15 U.S.T. 1606, T.I.A.S. No. 639, 516 U.N.T.S. 205.

⁴ LOS Convention, article 7(3).

⁵ J. Ashley Roach and Robert W. Smith (Roach and Smith), *United States Responses to Excessive Maritime Claims*, 2nd edition, Martinus Nijhoff Publishers, 1996, p. 60.

⁶ United Nations, Baselines: An Examination of the Relevant Provisions of the United Nations Convention on the Law of the Sea, 1989, p. 17.

geographer has stated, "proper straight baselines usually have a number of segments, each composed of several legs, interspersed with sections of the low-water mark of island and mainland coasts....The length of individual legs is short and the baseline is rarely more than 24 nautical miles from an exposed coast".⁷ Article 14 of the LOS Convention acknowledges that a combination of methods is appropriate for determining the type of baselines in particular areas: "The coastal State may determine baselines in turn by any of the methods provided for in the foregoing articles to suit different conditions."

Japan's coastline in many locations does not meet the LOS Convention geographic conditions required for applying straight baselines. And, for the most part, the waters enclosed by the new straight baseline system do not have the close relationship with the land, but rather reflect the characteristics of the territorial sea or high seas. In these areas it would be appropriate to use the normal baseline, the low-water mark.

Neither the LOS Convention nor the Convention on the Territorial Sea and the Contiguous Zone place a specific distance limit on the length of a straight baseline. However, several analyses have suggested limits ranging from 24 to 48 miles.⁸ The position of the United States is that as a general rule baseline segments should not exceed 24 miles.⁹ The following analysis supports 24 miles as the maximum baseline length:

The 24-mile maximum segment length is implied from a close reading of the relevant articles of the LOS Convention. Article 7(1) speaks of the 'immediate vicinity' of the coast. Article 7(3) states that 'the sea areas lying within the line must be sufficiently closely linked to the land domain to be subject to the regime of internal waters.' In both of these descriptions, the implication is strong that the waters to be internalized would otherwise be part of the territorial sea. It is difficult to envision a situation where international waters (beyond 12 miles from the appropriate low-water line) could be somehow 'sufficiently closely linked' as to be subject to conversion to internal waters.

This implication is reinforced by article 8(2) which guarantees the right of innocent passage in areas converted to internal waters by straight baselines. Innocent passage is a regime applicable to the territorial sea (with a maximum breadth of 12 miles). Preservation of innocent passage carries over pre-existing rights in waters that were territorial in nature before the application of straight baselines. Given this theme of linkage to territorial waters, it follows that, as a rule, no straight baseline segment should exceed 24 miles.¹⁰

⁷ Victor Prescott, The Maritime Political Boundaries of the World, 1985, p. 69.

⁸ See Roach and Smith, p. 64 (24 miles); Robert D. Hodgson and Lewis M. Alexander, "Towards an Objective Analysis of Special Circumstances: Bays, Rivers, Coastal and Oceanic Archipelagoes and Atolls," Law of the Sea Institute Occasional Paper No. 13, 1971, p. 8 (45 miles); Peter B. Beazley, Maritime Limits and Baselines: A Guide to their Delineation, The Hydrographic Society Special Publication No. 2 (2nd ed., revised August 1978), p. 9 (45 miles); Limits in the Seas No. 106, "Developing Standard Guidelines for Evaluating Straight Baselines", August 31, 1987 (48 miles).

⁹ U.S. Department of State Dispatch Supplement, "Law of the Sea Convention, Letters of Transmittal and Submittal and Commentary", Vol. 6, February 1995, p. 8.

¹⁰ Roach and Smith, footnote 24, pp. 64-65.

ANALYSIS OF JAPAN'S STRAIGHT BASELINES

Japan has created 15 "groupings" of straight baselines that have been drawn along the coasts of several of its islands. In all, there are 162 straight baseline segments that range in length from 0.09 miles to 85.2 miles (see Table 1). Of these 162 baseline segments, about 72 per cent are less than 24 miles in length. But, the remaining 28 per cent exceed 24 miles, with over 10 percent of the baselines longer than 48 miles.

The following analysis was conducted using Operational Navigational Charts (ONC, which are Lambert Conformal Conic projection charts with a scale of 1:1,000,000). In the creation of its 15 straight baseline groupings Japan has not developed a continuous numbering system, but rather has assigned a new numbering system for each group. For the purpose of this analysis, an additional numbering reference system has been created, and applied on the large map found at the end of this study. In the analysis which follows the numbers as they appear on the attached map are indicate in parentheses.

Table 1
Length of Japan's Baseline Segments

Length (nautical miles)	Number of segments (percent of total)
Less than 24	116 (71.6%)
24.1 to 48	31 (19.1%)
Greater than 48.1	15 (9.3%)
Longest = 85.2 miles	162 segments

Generally, the coastal geography of the Japanese islands along which the straight baselines have been drawn *do not* conform to the requirements called for in article 7, paragraph 1 of the LOS Convention. For the most part, the coastlines of these Japanese islands are neither "deeply indented and cut into", nor is there a "fringe of islands" in the immediate vicinity. In several situations, which will be noted in the following specific analysis, article 10 "juridical" bay closing lines may be implemented for certain areas landward of the claimed straight baselines. And, in many areas the excessive straight baseline segment does not significantly alter the position of the outer limit of the territorial sea from what would result from using the low-water mark.

*Group 1:*¹¹ The group consists of 12 basepoints and 11 straight baseline segments along the east coast of Hokkaido (points 1-12 on the attached large map). The coastline here is relatively smooth, with no deep indentations. Point F (point 6) is situated on the small island of Yururi-to, which is surrounded by a couple of smaller islets. But these small features can not be considered "fringing islands". Segments J-K and K-L (points 10-11 and 11-12 on the large map) do close an article 10 juridical bay. The remaining part of this coast should have the low-water mark as the baseline.

¹¹ Analyzed using ONC F-10.

From Point L (pt. 12), which is situated on the southwestern entrance to Akkeshi-wan, to the town of Muroran, along the southwest coast of Hokkaido, the baseline is the low-water mark. This includes about 225 miles of coastline. For the straight baselines beginning at Muroran, see Group 13 below.

*Group 2:*¹² This grouping consists of 12 base points connecting 11 straight segments along the northeast coastline of Honshu. These points are labeled 13-24 on the attached large map. Segment A-B (13-14) is a short (4.9 miles) juridical bay closing line across Kuji Bay. Segment B-C, 10.5 miles in length, improperly encloses a slightly indented coastline that does not meet the article 10 bay closing requirements. Segment C-D, over 25 miles long is situated along a coast that has one small deep indentation near the city of Miyako which could have a 2.5 mile closing line, but which otherwise should have its territorial sea measured from the low water line.

Segments D-E, E-F, and F-G (16-17, 17-18, and 18-19) are three segments each of which is less than 0.5 miles long which merely connect points around a peninsula to the northeast of the town of Yamada. These straight lines are drawn in an area that does not meet the standards set forth in article 7 of the LOS Convention and should not be drawn.

Segment G-H (19-20) is a 4.9 mile line which closes an article 10 bay. The coastline behind segment H-I (20-21, 22.6 miles in length) is deeply indented and represents the type of coastline where a straight baseline can properly be used. The coastline between Points I and J (points 21 and 22 on the large map) also is "deeply indented and cut into". However, the segment is improperly drawn. First, the segment distance is excessively long at 52 miles and it encloses waters that are not "sufficiently closely linked to the land domain to be subject to the regime of internal waters." Point J is situated on an isolated island, Kinkazan-to. Straight baselines could be justified closer to the mainland connecting the respective headlands of the deep indentations.

Segment J-K (22-23) is a short segment on Kinkazan-to which does not meet LOS requirements. The final segment in this grouping, K-L (23-24), is a 38.8 mile line which exceeds the provisions of Article 7. It encloses waters that should be territorial sea and high seas. A short 3-mile bay closing line could be drawn across a body of water immediately to the northeast of the city of Sendai.

Group 3 This grouping of four base points creates three segments which essentially closes two juridical bays along the southern coast of Honshu. The length of the closing lines, however, exceeds the maximum closing allowed under article 10 of the LOS Convention. This area does not meet the requirements of the article 7 straight baselines, as the coastline only has the two indentations of the bays, and only one main island.

¹² Groupings 2,3, and 4 have been analyzed using ONC G-11.

The first two segments A-B (25-26) and B-C (26-27) delimit Sagami Bay, the body of water leading to Yokohama and Tokyo. O-Shima Island sits in the mouth of the bay and causes the bay to have two entrances. A closing line properly can be extended to the island. However, Point C is situated on the smaller island of Iro-zaki which is located outside the bay. The closing line should extend from O-Shima Island to the peninsula near the town of Shimoda. It should be noted that a string of small Japanese islands extend seaward generally perpendicular to this bay. No attempt has been made to draw straight baselines out to these islands and the territorial sea is correctly measured from the low water line of the islands.

Segment C-D (27-28) encloses an overlarge bay (i.e., the bay closing exceeds the maximum permitted length of 24 miles). Under article 10 (5) a "straight baseline of 24 nautical miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length."

Group 4: The five segments found in group 4 (pts. 29-34) are situated on the southern coast of Honshu. As drawn they exceed the provisions of article 7. The coastline in this area is neither fringed with islands nor deeply indented. The coastline at Point A (29), near the town of Hamamatsu, is smooth. Approximately 30 miles to the southwest of Point A there is a headland from which a 9-mile bay closing line could be drawn across Ise-Wan. Segment B-C (30-31) merely cuts across a peninsula. And, segment C-D (31-32) extends 54.2 miles in front of coastline that has several small bays, but which is otherwise smooth. Segments D-E (32-33) and E-F (33-34) appear to close off a double-mouth bay. It is unclear, however, if the points themselves have been placed on the proper headlands.

Group 5: This group includes segments A to K (pts. 35-45) and L to M (pts. 46-47) which connect the southern coast of Honshu (south of Osaka) to the islands of Shikoku and Kyushu. The southern coast of Honshu, between Osaka and Hiroshima is fringed with many islands, including the large island of Shikoku and the drawing of straight baselines in this area generally is in accordance with the LOS Convention. However, two of the segments, A-B (41.7 miles) and E-F (55.8 miles) have lengths that are excessive and enclose sea areas that are not "sufficiently closely linked to the land domain to be subject to the regime of internal waters." An A-B segment in the vicinity of 33°55' parallel of north latitude would be more appropriate. And, there probably should not be a segment E-F; the baseline along the southern coast of Shikoku should be the low-water line.

Segment J-K closes the southern entrance to the Bungo strait.¹³ Segment L-M is an insignificant line (only 0.2 miles in length) which is drawn along a peninsula.

¹³ Japan, in Article 1 of its Enforcement Order of the Law of the Territorial Sea (Cabinet Order No. 210 of 17 June 1977), defined, by geographical coordinates, the boundaries of Seto Naikai which it claimed as internal waters. It should be noted that the straight baseline segments claimed in the 1997 law for this area are different than the 1977 closing lines. In the Bungo Strait the new lines are about 44 miles further seaward, thereby incorporating waters not previously considered as internal by Japan.

An important issue pertaining to this group is the closure of the Bungo Strait. This is an international strait which, along with the Shimonoseki Strait, another international strait to the northwest (which separates Honshu and Kyushu), is used for international navigation. As such, this area in and between these two international straits should be governed by Part III of the LOS Convention on Straits Used by International Navigation.

*Group 6*¹⁴ This group of nine segments encircles Amami-shoto and adjacent islands. Segments A-B (48-49) and B-C (49-50) are situated off the relatively smooth east coast of Amami-shoto and should not have been drawn. Point B appears to be on an isolated rock. A small article 10 bay closing line could be drawn to the west of Point C, and another to the north of Point D instead of segment C-D (50-51).

The coastline south of Amami-shoto is fringed with the smaller islands and islets and the segments connecting D-E (51-52), F-G (53-54), H-I (55-56), I-J (56-57), and J-K (57-58) reflect this fringe. From Point K, however, a straight baseline should be drawn due east back to Amami-shoto rather than to Point L (59) almost 30 miles away on the northern tip of Amami-shoto. The coastline landward of segment K-L is not deeply indented, nor are there fringing islands off this part of the coast.

Group 7: This group of straight baselines has been drawn off the east coast of Okinawa-Jima. Segment A-B (pts. 60-61) is 30 miles long and is drawn in an area where the coastline is not deeply indented nor are there fringing islands. There are fringing reefs just north of pt. 61 and straight baselines may be proper from an area about 12 miles north of pt. 61 to point F (pt. 65).

Group 8: These straight baselines are situated off the west coast of Okinawa-Jima. While there are approximately 5 small islands over a distance of about 65 miles, they cannot be considered a fringe of islands. The territorial sea should be measured from the low-water line in this area.

*Group 9:*¹⁵ This group of straight baseline segments (connecting points 77-85, 86-88, 89-90, 91-92, 93-98 on the attached large map) begins on the southeast coast of Kyushu Island and connects various small islands situated off the southwest and west coast of Kyushu. It is unclear why segment A-B has been established since it is only a 0.2 mile long segment on a peninsula near the town of Honjo. Points C through H (79-84) are all situated on very small islets or rocks, and these small features are spread over a distance of about 80 miles, plus the 57 miles between Point B, on the peninsula, to the island of Takeshima (pt. 79). This area can not be considered fringed with islands "along the coast in its immediate vicinity" and these segments should be considered excessive under the provisions of the LOS Convention. Immediately to the west of point 78 there are two "well-marked indentations" along the southern coast of Kyushu which could have article 10 bay

¹⁴ Groupings 2,3, and 4 have been analyzed using ONC G-11.

¹⁵ Analyzed using ONC H-13, G-10, and G-11.

closing lines. This part of the Japanese coastline forms the northern part of Osumi Strait and Japan has made special provisions for claiming its territorial sea in this strait.¹⁶

Points I, J, and K (pts. 85-87) are situated on islands, labeled as Koshikijima-Retto on the attached map, which extend at an approximately 45° angle of deviation from the general direction of the coast. Although the LOS Convention is silent on this aspect of establishing straight baselines, several studies have suggested that in order to meet the "immediate vicinity" requirement there must be some consideration given to location of the islands relative to the mainland.¹⁷

Segment K-L (connecting points 87-88) is over 62 miles long and encloses waters that should remain territorial sea and high seas, and not internal waters. The islands in the vicinity of points L to R (88 to 94) could have straight baselines, but in a manner slightly different from Japan's claim. A straight line could be drawn from a location on Kyushu near Nagasaki to one of the islands to the northeast of pt. 88 which would be about 24 miles in length. The straight baseline segments could then be placed around Goto Retto to Iki island, and then back to the mainland. However, segment R-S (94-95) should not be used, as the waters encompassed by that segment are not closely linked to the mainland.

Segments connecting S, T, U, and V (95 to 98) clearly exceed the provisions of the LOS Convention. Points 96 to 97 are but islets and these segments are 60, 31, 61, and 57 miles long, respectively. In this area the low water line is the proper baseline from which to measure the territorial sea.

*Group 10:*¹⁸ This group creates straight baselines around the entire island of Tsushima, which divides the Korea Strait into the Eastern and Western Channel. For the most part straight baselines are not warranted for this island. There are small article 10 bays near segment B-C (100-101), on the west coast near Point R (116), and south of Point S (117). There are several islands in the vicinity of Point F (104) that could be considered fringing and straight baselines with a total length of about 5 miles could be drawn. Most of the baseline segments, as listed in Annex II, are less than 0.5 miles in length and have virtually no impact on the territorial sea limit, let alone establishing internal waters. The low-water line should be used as the baseline for virtually the entire coastline in this area.

*Group 11:*¹⁹ This is one segment connecting Points A-B (128-129) which are 52 miles apart. This line exceeds the provisions of article 7 as the coast is neither deeply indented nor fringed with islands. Several small article 10 bays can be identified inside this segment

¹⁶ See analysis on Japan's claim to a territorial sea beginning on page 11 of this study.

¹⁷ See Department of State, *Limits in the Seas No. 106*, "Developing Standard Guidelines for Evaluating Straight Baselines", August 31, 1987. A 45° deviation indicates that for every mile that an island system moves "along" the mainland general direction, it also moves one mile seaward away from the mainland which would bring into doubt that the island system was a "fringe of islands". The study suggests that 20° would be an appropriate angle of deviation (p. 19).

¹⁸ Analyzed using ONC G-10.

¹⁹ Analyzed using ONC G-11.

that have closing lines less than 10 miles. The waters enclosed by this segment, however, should remain either high seas or territorial sea

*Group 12:*²⁰ This group of straight baseline segments is situated off the northwest coast of Honshu and consists of very long lines. Nine of the ten segments exceed 25 miles in length with three of them greater than 50 miles. This part of Japan's coast is rather smooth and is not deeply indented, and has only one medium-sized island (Sadogashima) situated off it. The waters enclosed by segments A-B (130-131), C-D-E (132-134), F-G-H-I-J-K (135-140), are not "sufficiently closely linked to the land domain to be subject to the regime of internal waters" (as called for in article 7.3 of the LOS Convention). An Article 10 bay, located to the east of point 130, can be established.

An over-large juridical bay is situated at the northern tip of Honshu, fronting on the Tsugaru Strait. Segment K-L (140-141), however, exceeds the maximum breadth of an Article 10 bay (24 miles). A revised closing line should be drawn in a manner which, according to Article 10 (5), encloses "the maximum area of water that is possible with a line of that length." The coastline between Points M and N (142-143) is a mere curvature in the coast, and should have as its baseline the low-water line.

*Group 13:*²¹ Beginning at the town of Muroran, along the southwest coast of Hokkaido, this group consists of two sections: Points A-O (pts. 144-158 on the attached map) and Points P-DD (pgs 159-173 on the attached map). The first section connects coastline points along the southwestern corner of Hokkaido to the small island of O-Shima, almost 30 miles west of Hokkaido's southwest point (the town of Matsumae). Point 159 begins on the northwest tip of O-Shima and continues along the west coast of Hokkaido to Hokkaido's northern point, with the basepoints situated either on the offshore islands or on peninsulas of Hokkaido.

Segment A-B (144-145) closes an article 10 juridical bay. However, the closing line exceeds the permissible 24 mile length. A line extending essentially due south from Point 144 would be approximately 24 miles long and would properly define Uchiura-wan. Points B through L (145-155 in this grouping) all are situated on a peninsula near the city of Hokodate and, with the exception of segment D-E (147-148 which is 5.8 miles long), create segments less than 2 miles in length. There are no offshore islands and the coastline is smooth. Straight baselines are not called for in this situation.

Segment L-M (connecting pts. 155-156) enclose a part of the southern Hokkaido coast that broadly curves. An article 10 juridical bay can be defined immediately to the west of Hokodate, but elsewhere the low-water mark should be used as the baseline.

From Points M to S (156 to 162) the straight baseline segments extend from the southwest corner of Hokkaido Island to connect the isolated islands of Ko-jima, O-Shima, Okushiri-To, and then back to the Hokkaido mainland at Sukki. Ko-jima and O-Shima, are situated

²⁰ Analyzed using ONC G-11 and F-10.

²¹ Groups 13,14, and 15, analyzed using ONC F-10.

approximately 12 miles and 27 miles, respectively, off Hokkaido. The baseline segment connecting the two islands is 22.4 miles long. A line almost 40 miles in length is used to connect O-Shima to Ikushiri-To, an island which is 10 miles off the coast of Hokkaido. The straight baseline segment from Okushiri-To back to the mainland of Hokkaido is about 30 miles long. Three islands, scattered in an area in such a manner that it takes 110 miles to connect the mainland to these three islands by 4 baselines, cannot be considered fringing islands. The territorial sea should be measured from the low-water mark of each island and from the Hokkaido mainland.

Baseline points S-T (162-163) enclose waters situated in front of a slightly curved coast along the west coast of Hokkaido. There are no fringing islands, nor is this part of the coast deeply indented. The next segment, T-U (163-164), can be considered as closing an overlarge bay. This is a bay which meets the requirements of an article 10 bay, but the closing line exceeds the maximum permissible length of 24 miles by more than twice the distance. In such cases, paragraph 5 of this article states that:

a straight baseline of 24 nautical miles shall be drawn within the bay in such a manner as to enclose the maximum area of water that is possible with a line of that length.

The next two baseline segments, U-V (164-165) and V-W (165-166) connect the small island of Teuri-jima to a point on Hokkaido, to the south, and with another island, Rebun-To to the north. The two segments are 41.4 miles and 53.3 miles long, respectively. These islands, even if one also considers Rishiri Shima--situated close to Rebun-To--are not fringing islands. A series of baseline segments have been drawn along the coast of Rebun--To (basepoints 166-171) which do not meet article 7 (1) criteria.

Finally, segment BB-CC (connecting points 171-172) connects Rebun--TO to the north coast of Hokkaido. This 40.4 mile long line should not be drawn since it is not connecting an island which fringes the coastline.

Group 14: This group of 5 straight baseline segments have been drawn along the northern coast of Etorofu-to (shown as points 174-179 on the large map).²² No straight baselines have been claimed along the southern coast. There are no fringing islands situated off the north coast, nor is the coastline deeply indented. Segment A-B (13 miles in length) does appear to meet the requirements of an article 10 "juridical" bay. But along the remaining part of the coastline, the low-water line should be the baseline.

Group 15: This group of 14 straight baseline segments (points A-O; points 180-194 on the large map) almost encloses Shikotan-to.²³ This rectangular-shaped island is about 16

²² This island has been occupied by Russia (and the former Soviet Union) since 1945, and claimed by Japan. Russia has also claimed straight baselines for portions of this island; in some cases the basepoints are situated on different locations of the island. See *Limits in the Seas* No. 107, Straight Baselines: U.S.S.R. (Pacific, Sea of Japan, Sea of Okhotsk, and Bering Sea), September 30, 1987.

²³ This island has been occupied by Russia (and the former Soviet Union) since 1945, and claimed by Japan.

miles long and 6 miles wide with only a couple of small offshore islets. The length of these baseline segments range from 0.21 miles to about 7.8 miles. The coastline of the island is not deeply indented. With the exception of some small bay closing lines that could be drawn, the proper baseline for this island would be the low-water line. The 12-mile territorial sea measured from the low-water mark would essentially be the same as that measured from the claimed straight baselines.

JAPAN'S TERRITORIAL SEA CLAIM

By Law No. 30 of 1977, Japan extended its territorial sea to 12 miles, except for specified designated areas in five international straits in which it has developed specific definitions which creates territorial sea limits between 3 and 12 miles. The five international straits affected by this decision are the Eastern and Western Channels of the Tsushima Strait, Osumi Strait, La Perouse (Soya Strait), and Tsugaru Strait. Japan has made its territorial sea claim less than 12 miles in these straits to maintain high seas corridors.

STRAITS USED FOR INTERNATIONAL NAVIGATION

Part III of the LOS Convention addresses the regime of passage through straits used for international navigation. Straits connecting one part of the high seas, or exclusive economic zone (EEZ), to another part of the high seas, or EEZ, are governed by transit passage. Under the legal regime of transit passage, as specified by Section 2 of this part of the LOS Convention (articles 37-44) ships and aircraft of all States, including warships and military aircraft enjoy the right of unimpeded passage through such straits. Transit passage is defined in articles 38 and 39 as the freedom of navigation and overflight solely for the purpose of continuous and expeditious transit of the strait in the normal modes of operation used by ships and aircraft. This type of transit would allow submarines to transit submerged (which is not allowed through the territorial sea in the absence of coastal State consent). Surface warships would be allowed to transit in a manner necessary to provide the necessary security for the transiting battle group.

In such international straits, transit passage would be allowed throughout the strait between the bordering coastlines. Japan did not wish to have the transit passage regime apply to five international straits situated adjacent to its coasts. By defining a narrow territorial sea less than 12 miles in these straits, Japan has maintained a channel of high seas through which all ships and aircraft could exercise high seas navigation and overflight freedoms. In the narrow bands of territorial sea immediately off the Japanese coasts, ships and aircraft would have to respect the rights and responsibilities associated with territorial sea navigation. It is assumed, however, that navigational and hydrographic characteristics exists in these channels of high seas allowing for safe navigation.

It should be noted that the LOS Convention addresses this type of situation where a route of high seas or exclusive economic zone exists through a strait. Article 36 states:

This Part [Part III of the LOS Convention] does not apply to a strait used for international navigation if there exists through the strait a route through the high seas or through an exclusive economic zone of similar convenience with respect to navigational and hydrographical characteristics; in such routes, the other relevant Parts of this Convention, including the provisions regarding the freedoms of navigation and overflight, apply.

Should the navigational and hydrographic characteristics for safe navigation not be present, then transit passage rights would prevail for those parts of that strait in accordance with Part III.

The definition of the territorial sea limits are given in Annex III of this study. Japanese Cabinet Order No. 206 of 1993 defines how the 12-mile territorial sea limit is narrowed to 3-miles in the five straits. The maps which follow illustrate the limits in these straits.

La Perouse (Soya Strait): La Perouse is Japan's northern-most strait and is shared by Russia. Japan has maintained a 3-mile territorial sea measured from the northern tip of Hokkaido Island.²⁴ From the 3-mile territorial sea Japan has defined the limit so that the limit angles out to intersect the 12-mile territorial sea limit to the southeast and west of the Strait. The width of the high seas band will depend on how Russia delimits its territorial sea limit in the strait. There is no known territorial sea boundary agreement between Japan and Russia.

Osumi Strait: The length of this strait that is affected by Japan's decision to narrow the 12-mile territorial sea in Osumi Strait is about 90 miles. A band 3 miles in breadth is drawn from the straight baselines claimed along the southeast coast of Kyushu.²⁵ The high seas corridor narrows to about 8 miles between Make-jima and the territorial sea limit drawn from the straight baseline connecting Take-Shima to the peninsula near Honjo.

Tsugaru Strait: This Strait extends in a northeast-southwest direction between the islands of Hokkaido and Honshu.²⁶ A corridor of high seas between 80-90 miles in length is created by this Cabinet Order. For the middle 40 miles the high seas corridor narrows to a width of about 7 miles, and maintains this width for about 30 miles.

Tsushima Strait-Eastern Channel: This channel runs between Tsushima Island and Kyushu and its adjacent islands. The adjustments made by Japan to its territorial sea in this area create a corridor of about 70 miles long that otherwise would have been overlapped by the 12-mile territorial sea limit. At the northeast entrance the high seas

²⁴ For an analysis of Japan's claimed straight baselines along the coast bordering the strait, see Group 13 earlier in this study.

²⁵ See analysis of Japan's claimed straight baselines in this area-Group 9, earlier in this study.

²⁶ For an analysis of Japan's claimed straight baselines for the coastline bordering this strait, see Group 13 earlier in this study.

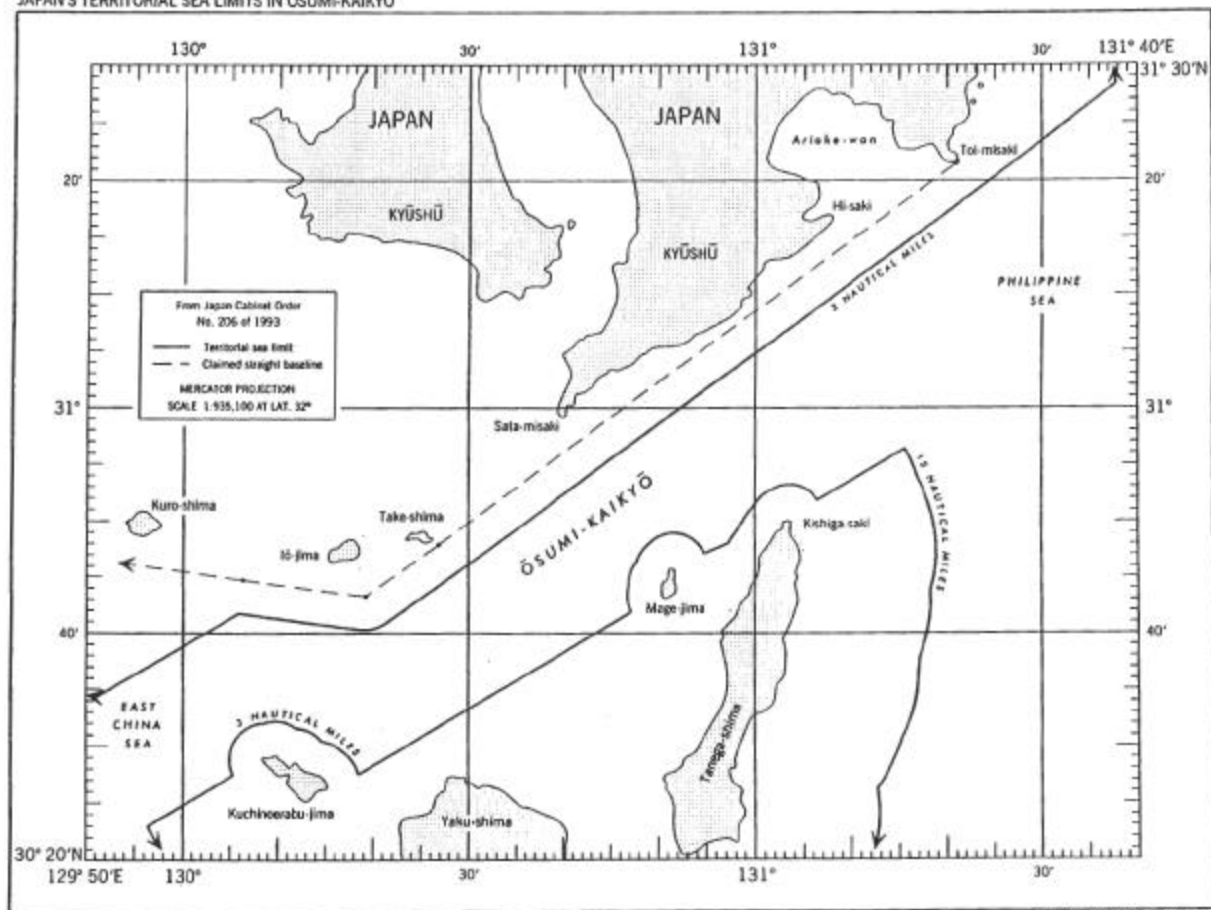
corridor is the narrowest at about 10 miles and widens to about 19 miles in the central area.²⁷

Tsushima Strait-Western Channel: On the west side of Tsushima Island Japan shares the Western Channel with South Korea.²⁸ Japan has maintained a 3-mile territorial sea measured from the claimed straight baselines along the western coast of Tsushima Island.

²⁷ For an analysis of Japan's claimed straight baselines for the coastline bordering the Eastern and Western Channels, see Group 8 earlier in this study.

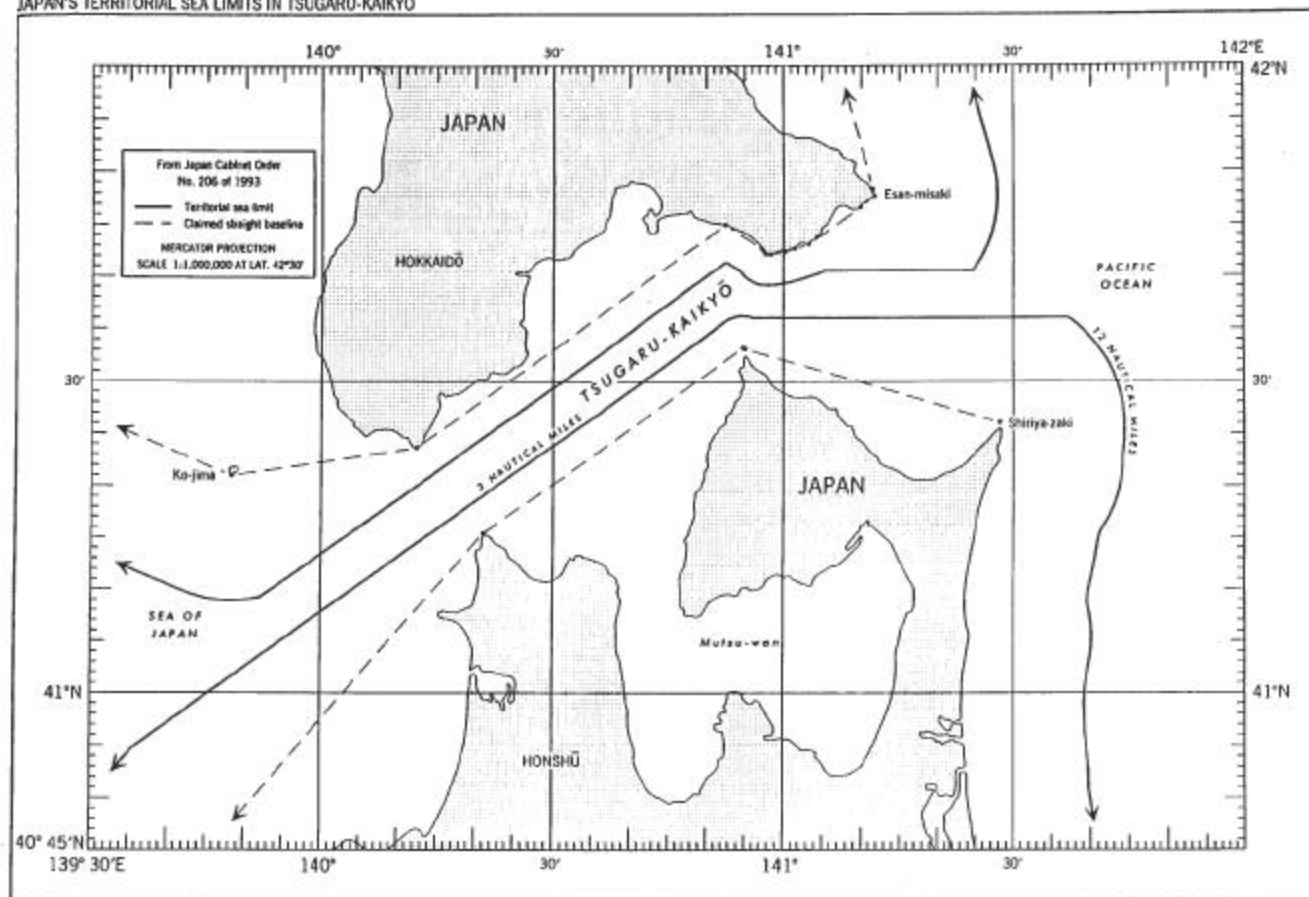
²⁸ South Korea, in its 1977 Territorial Sea Law 3037, has maintained a 3-mile territorial sea limit on its side of the Korean Strait, thus maintaining a high seas corridor.

JAPAN'S TERRITORIAL SEA LIMITS IN ŌSUMI-KAIKYŌ



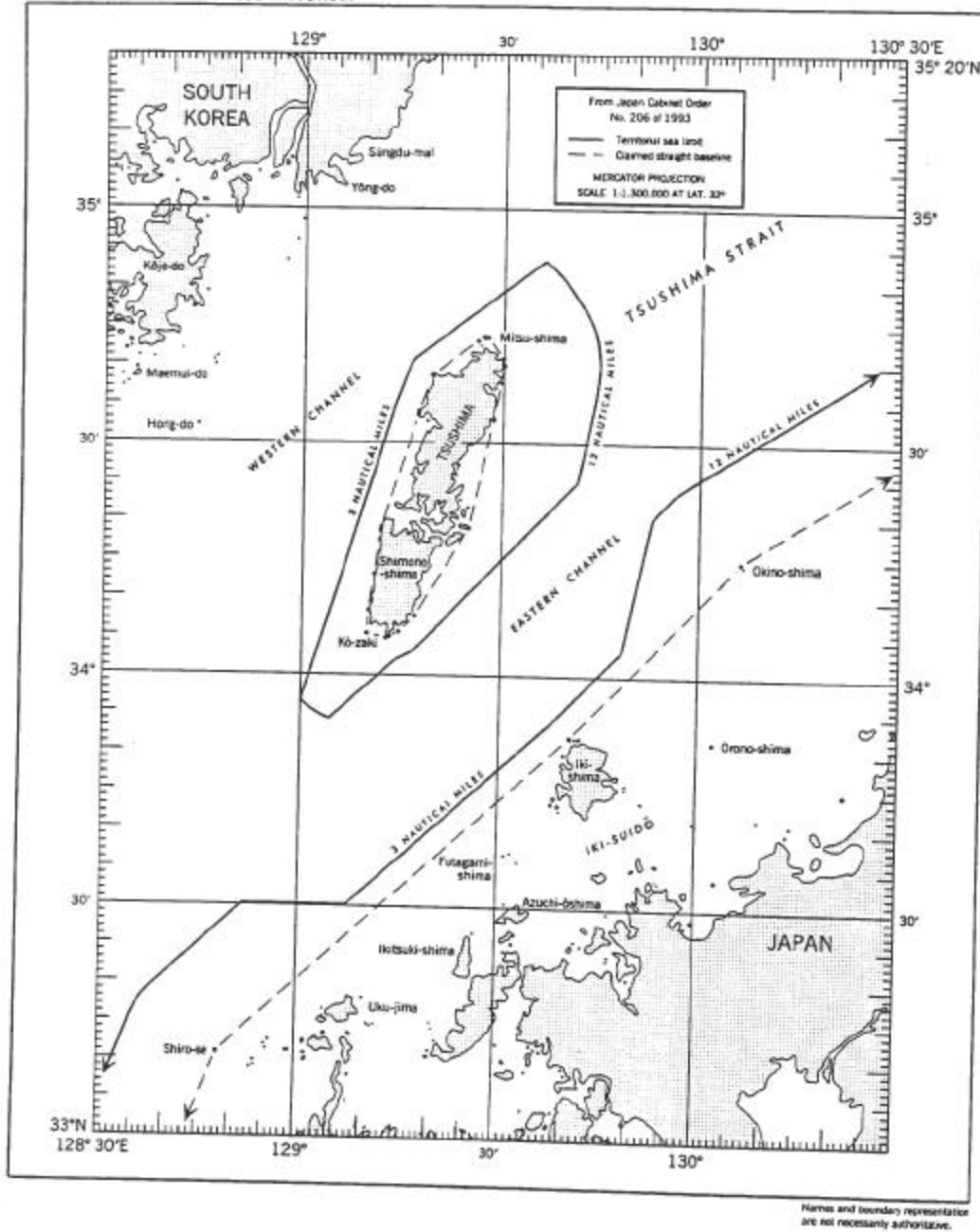
Names and boundary representation
are not necessarily authoritative.

JAPAN'S TERRITORIAL SEA LIMITS IN TSUGARU-KAIKYŌ



Names and boundary representation are not necessarily authoritative.

TERRITORIAL SEA LIMITS IN TSUSHIMA STRAIT



Names and boundary representation are not necessarily authoritative.

ANNEX I

Law on the Territorial Sea and the Contiguous Zone (Law No. 30 of 1977, as amended by Law No. 73 of 1996)²⁹

Extent of the territorial sea

Article 1

1. The territorial sea of Japan comprises the areas of the sea extending from the baseline to the line 12 nautical miles seaward thereof. Provided that, where any part of that line lies beyond the median line as measured from the baseline, the median line (or the line which may be agreed upon between Japan and a foreign country as a substitute for the median line) shall be substituted for that part of the line.
2. "The median line" referred to in the preceding paragraph shall be the line every point of which is equidistant from the nearest point on the baseline and the nearest point on the baseline from which the breadth of the territorial sea pertaining to the foreign coast which is opposite to the coast of Japan is measured.

Baseline

Article 2

1. The baseline shall be the low-water line, the straight baseline, and the straight line drawn across the mouth of or within a bay, or across the mouth of a river. Provided that, with respect to the Seto Naikai, which is internal waters, the baseline shall be the lines prescribed by Cabinet Order as the boundaries with other areas of the sea adjacent thereto.
2. Straight baselines referred to in the preceding paragraph shall be prescribed by Cabinet Order, in accordance with article 7 of the United Nations Convention on the Law of the Sea (hereinafter referred to as "the U.N. Convention on the Law of the Sea").
3. In addition to the provision of the preceding paragraph, the criteria to be used in employing, as baseline, the lines provided for in paragraph 1 and any other matters necessary for the drawing of baselines shall be prescribed by Cabinet Order.

²⁹ Translated to English by the Government of Japan. See also United Nations, Law of the Sea Bulletin No. 35, 1997 for the text of this law and that of the Enforcement Order No. 210 of 1977, as amended by Cabinet Order No. 383 of 1993 and Cabinet Order No. 206 of 1996 and Law No. 74 of 1996 (establishing an exclusive economic zone and continental shelf), 76-96.

Application of the laws and regulations of Japan
pertaining to hot pursuit from within
the internal waters or the territorial sea
Article 3

The laws and regulations of Japan (including penal provisions. The same shall apply in article 5) shall apply with respect to the execution of official duties by public officials of Japan in relation to hot pursuit from within the internal waters or the territorial sea of Japan undertaken in accordance with article 111 of the U.N. Convention on the Law of the Sea and the conduct obstructing such execution.

The contiguous zone
Article 4

1. There is hereby established the contiguous zone, as a zone in which Japan takes necessary measures to prevent or punish infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory in accordance with article 33, paragraph 1 of the U.N. Convention on the Law of the Sea.

2. The contiguous zone referred to in the preceding paragraph (hereinafter referred to as "the contiguous zone" for brevity) comprises the areas of the sea extending from the baseline to the line 24 nautical miles seaward thereof (excluding therefrom the territorial sea). Provided that where any part of that line lies beyond the median line ("the median line" here is defined in article 1, paragraph 2. The same shall apply hereinafter) as measured from the baseline, the median line (or the line which may be agreed upon between Japan and a foreign country as a substitute for the median line) shall be substituted for that part of the line.

3. In a part of the areas of the sea in which the mutual application with a foreign country beyond the median line of the measures prescribed in article 33, paragraph 1 of the U.N. Convention on the Law of the Sea is deemed appropriate, the contiguous zone may extend from the baseline to the line 24 nautical miles seaward thereof (excluding therefrom the territorial sea of a foreign country), as prescribed by Cabinet Order, notwithstanding the provision of the preceding paragraph.

Application of the laws and regulations
of Japan in the contiguous zone
Article 5

The laws and regulations of Japan shall apply with respect to the execution of official duties by public officials of Japan in the contiguous zone in relation to measures prescribed in paragraph 1 of the preceding article (including the execution of official duties in relation to hot pursuit from within the contiguous zone pertaining to the said execution of official duties

undertaken in accordance with article 111 of the U.N. Convention on the Law of the Sea) and the conduct obstructing such execution.

Supplementary Provisions

Date of enforcement

1. This law shall be enforced on the date prescribed by Cabinet Order, which shall be within two months following the date of its promulgation.

Extent of the territorial sea pertaining to the designated areas

2. For the time being, the provisions of article 1 shall not apply to the Soya Kaikyo, the Tsugaru Kaikyo, the Tushima Kaikyo Higasi Suido, the Tushima Kaikyo Nisi Suido, and the Osumi Kaikyo (including areas of the sea which are adjacent to these waters and which are recognized as forming respectively integral parts thereof from the point of view of the course normally used for navigation by vessels; hereinafter referred to as "the designated areas"). The territorial sea pertaining to the designated areas shall be respectively the areas of the sea extending from the baseline to the line 3 nautical miles seaward thereof and to the line drawn connecting with the said line.

3. The limits of the designated areas and the lines referred to in the preceding paragraph shall be prescribed by Cabinet Order.

Supplementary Provisions (Law No. 73 of 1996)

This law shall be enforced on the day when the United Nations Convention on the Law of the Sea enters into force for Japan.³⁰

³⁰ July 20, 1996.

ANNEX II

Japan's Straight Baseline Base Points

Base Point	Distance between base points (n. miles)
(1) The Line Connecting Points A to L (pts. 1-12)	
A. 43°23'00"N, 145°49'20"E	1.05
B. 43°21'59"N, 145°48'59"E	0.47
C. 43°21'33"N, 145°48'44"E	2.02
D. 43°19'59"N, 145°46'59"E	0.29
E. 43°19'48"N, 145°46'40"E	10.91
F. 43°11'59"N, 145°36'15"E	4.13
G. 43°09'45"N, 145°31'30"E	0.52
H. 43°09'31"N, 145°30'52"E	23.68
I. 42°59'39"N, 145°01'30"E	0.89
J. 42°59'15"N, 145°00'25"E	6.49
K. 42°56'39"N, 144°52'19"E	3.90
L. 42°55'51"N, 144°47'07"E	
(2) The Line Connecting Points A to L (pts 13-24)	
A. 40°12'51"N, 141°50'18"E	4.87
B. 40°08'37"N, 141°53'27"E	10.55
C. 39°58'36"N, 141°57'48"E	25.72
D. 39°33'22"N, 142°04'24"E	0.24
E. 39°33'08"N, 142°04'28"E	0.45
F. 39°32'41"N, 142°04'33"E	0.07
G. 39°32'37"N, 142°04'33"E	4.92
H. 39°27'43"N, 142°03'52"E	22.57
I. 39°06'04"N, 141°55'35"E	51.99
J. 38°16'29"N, 141°35'25"E	0.63
K. 32°25'17"N, 131°41'48"E	38.78
L. 37°49'11"N, 140°59'27"E	
(3) The Line Connecting Points A to D (pts. 25-28)	
A. 34°53'47"N, 139°53'25"E	25.50
B. 34°40'31"N, 139°26'32"E	25.35
C. 34°34'09"N, 138°56'48"E	35.50
D. 34°35'17"N, 138°13'50"E	
(4) The Line Connecting Points A to F (pts. 29-34)	
A. 34°40'10"N, 137°36'02"E	41.46
B. 34°16'38"N, 136°54'43"E	5.98
C. 34°12'46"N, 136°49'12"E	54.27
D. 33°37'58"N, 135°59'06"E	3.44
E. 33°34'41"N, 135°57'50"E	0.13
F. 33°34'34"N, 135°57'46"E	

Base Point	Distance between base points (n. miles)
(5) The Line Connecting Points A to K and the Line Connecting Point L to M <i>(pts 35-45 and 46-47)</i>	
A. 33°40'02"N 135°19'56"E	41.72
B. 33°37'34"N 134°30'03"E	27.87
C. 33°14'34"N 134°11'10"E	0.12
D. 33°14'27"N 134°11'09"E	0.38
E. 33°14'14"N 134°10'47"E	55.81
F. 33°01'16"N 133°06'08"E	17.98
G. 32°43'38"N 133°01'44"E	0.57
H. 32°43'08"N 133°01'24"E	0.55
I. 32°43'01"N 133°00'46"E	23.64
J. 32°41'57"N 132°32'47"E	46.19
K. 38°15'57"N 141°35'00"E	
L. 32°25'14"N 131°41'43"E	0.16
M. 32°25'10"N 131°41'33"E	
(6) The Line Connecting Points A to E, the Line Connecting Point F to G, and the Line Connecting Points H to L <i>(pts 48-52, 53-54, 55-59)</i>	
A. 28°24'11"N 129°41'47"E	7.43
B. 28°19'05"N 129°35'39"E	8.80
C. 28°12'06"N 129°29'34"E	8.40
D. 28°06'10"N 129°22'49"E	7.48
E. 28°00'50"N 129°16'52"E	
F. 27°59'44"N 129°15'25"E	4.96
G. 28°01'04"N 129°10'01"E	
H. 28°01'14"N 129°08'41"E	13.77
I. 28°15'02"N 129°08'07"E	3.72
J. 28°17'58"N 129°10'43"E	0.46
K. 28°18'13"N 129°11'09"E	29.84
L. 28°31'25"N 129°40'30"E	
(7) The Lines Each Connecting Point A to Point B, Point C to Point D, and Point E to Point F <i>(pts 60-61, 62-63, 64-65)</i>	
A. 26°37'35"N 128°14'21"E	30.38
B. 26°11'22"N 127°57'07"E	
C. 26°10'22"N 127°56'15"E	2.72
D. 26°08'59"N 127°53'39"E	
E. 26°08'50"N 127°53'22"E	9.64
F. 26°05'07"N 127°43'29"E	

Base Point	Distance between base points (n. miles)
(8) The Lines Connecting Point A to Point B, Point C to Point D, Point E to Point F, Point G to Point H, and the Line Connecting Points I to K (pts 66-67, 68-69, 70-71, 72-73, 74-76)	
A. 26°04'30"N 127°39'25"E	6.50
B. 26°05'36"N 127°32'18"E	
C. 26°06'30"N 127°31'57"E	9.13
D. 26°15'39"N 127°31'41"E	
E. 26°16'16"N 127°31'41"E	29.20
F. 26°43'06"N 127°44'43"E	
G. 26°44'00"N 127°45'25"E	17.34
H. 26°59'20"N 127°54'34"E	
I. 27°05'53"N 128°01'57"E	12.36
J. 27°05'53"N 128°15'48"E	13.53
K. 26°52'19"N 128°15'48"E	
(9) The Lines Connecting Points A to I, Point J to Point L, Point M to Point N, Point O to Point P, and Points Q to V (pts. 77-85, 86-88, 89-90, 91-92, 93-98)	
A. 31°21'38"N 131°21'00"E	0.20
B. 31°21'28"N 131°20'52"E	57.21
C. 30°47'53"N 130°26'52"E	8.03
D. 30°43'17"N 130°19'13"E	11.21
E. 30°44'43"N 130°06'19"E	35.41
F. 30°49'31"N 129°25'35"E	0.09
G. 30°49'34"N 129°25'30"E	20.49
H. 31°10'06"N 129°25'03"E	31.72
I. 31°39'20"N 129°39'36"E	
J. 31°42'50"N 129°42'01"E	12.10
K. 31°52'48"N 129°50'06"E	62.27
L. 32°33'29"N 128°54'27"E	
M. 32°33'46"N 128°53'35"E	5.97
N. 32°34'10"N 128°46'32"E	
O. 32°36'33"N 128°36'01"E	6.32
P. 32°42'52"N 128°35'28"E	
Q. 32°43'35"N 128°35'38"E	29.25
R. 33°10'53"N 128°48'17"E	60.06
S. 33°52'04"N 129°40'40"E	31.15
T. 34°14'49"N 130°06'20"E	60.63
U. 34°47'45"N 131°07'59"E	57.31
V. 35°02'17"N 132°15'24"E	

Base Point	Distance between base points (n. miles)
(10) The Line Connecting Points A to CC (pts 99-127)	
A. 34°40'00"N 129°30'02"E	0.17
B. 34°39'50"N 129°30'01"E	2.12
C. 34°37'44"N 129°29'40"E	4.68
D. 34°33'08"N 129°28'33"E	0.19
E. 34°32'57"N 129°28'30"E	14.34
F. 34°18'53"N 129°25'00"E	12.99
G. 34°07'39"N 129°17'06"E	0.04
H. 34°07'37"N 129°17'04"E	2.83
I. 34°05'35"N 129°14'41"E	1.18
J. 34°05'01"N 129°13'26"E	0.43
K. 34°04'50"N 129°12'58"E	0.07
L. 34°04'50"N 129°12'53"E	2.51
M. 34°05'22"N 129°09'56"E	0.03
N. 34°05'24"N 129°09'56"E	2.92
O. 34°08'19"N 129°10'09"E	4.70
P. 34°12'59"N 129°10'54"E	5.63
Q. 34°18'34"N 129°11'53"E	0.41
R. 34°18'58"N 129°12'00"E	15.22
S. 34°33'35"N 129°17'13"E	0.45
T. 34°34'01"N 129°17'21"E	4.90
U. 34°38'39"N 129°19'19"E	0.02
V. 34°38'40"N 129°19'20"E	0.07
W. 34°38'43"N 129°19'24"E	0.04
X. 34°38'45"N 129°19'26"E	6.96
Y. 34°43'05"N 129°26'03"E	0.97
Z. 34°43'38"N 129°27'01"E	0.54
AA. 34°43'32"N 129°27'40"E	3.30
BB. 34°40'48"N 129°29'55"E	0.80
CC. 34°40'00"N 129°30'02"E	
(11) The Line Connecting Point A to Point B (pts 128-129)	
A. 35°46'33"N 135°13'36"E	52.06
B. 36°14'48"N 136°07'32"E	

Base Point	Distance between base points (n. miles)
(12) The Lines Connecting Point A to Point B, Points C to E, Points F to L, and Point M to Point N (pts 130-131, 132-134, 135-141, 142-142)	
A. 37°19'14"N 136°43'29"E	32.70
B. 37°50'42"N 136°54'50"E	
C. 37°51'09"N 136°55'44"E	62.15
D. 38°00'49"N 138°13'20"E	0.33
E. 38°01'08"N 138°13'28"E	
F. 38°19'52"N 138°31'05"E	36.01
G. 38°29'35"N 139°15'12"E	43.25
H. 39°10'59"N 139°31'23"E	50.36
I. 40°00'43"N 139°41'56"E	32.46
J. 40°31'54"N 139°30'03"E	58.21
K. 41°15'37"N 140°20'47"E	31.02
L. 41°33'12"N 140°54'45"E	
M. 41°33'08"N 140°55'05"E	25.81
N. 41°26'04"N 141°28'07"E	
(13) The Lines Connecting Points A to O and Points P to DD (pts 144-173)	
A. 42°17'53"N 141°00'26"E	30.62
B. 41°48'23"N 141°11'31"E	0.44
C. 41°47'57"N 141°11'26"E	1.79
D. 41°46'48"N 141°09'36"E	5.76
E. 41°43'24"N 141°03'23"E	1.23
F. 41°42'45"N 141°01'59"E	1.37
G. 41°42'36"N 141°00'10"E	1.38
H. 41°42'23"N 140°58'21"E	0.30
I. 41°42'24"N 140°57'57"E	0.28
J. 41°42'31"N 140°57'37"E	0.32
K. 41°42'42"N 140°57'16"E	4.24
L. 41°44'59"N 140°52'30"E	37.02
M. 41°23'38"N 140°12'12"E	18.29
N. 41°20'57"N 139°48'10"E	22.41
O. 41°29'34"N 139°20'40"E	
P. 41°30'57"N 139°20'17"E	39.68
Q. 42°10'33"N 139°24'18"E	2.90
R. 42°13'08"N 139°26'04"E	29.62
S. 42°36'59"N 139°49'48"E	48.73
T. 43°20'09"N 140°20'38"E	48.99
U. 43°43'21"N 141°19'57"E	41.41
V. 44°24'44"N 141°17'40"E	53.27
W. 45°16'41"N 141°01'08"E	6.16
X. 45°22'41"N 140°59'08"E	3.62
Y. 45°26'13"N 140°58'00"E	2.19
Z. 45°28'24"N 140°57'51"E	1.73
AA. 45°30'08"N 140°57'53"E	0.11
BB. 45°30'13"N 140°57'59"E	40.37
CC. 45°31'28"N 141°55'22"E	0.93
DD. 45°31'18"N 141°56'40"E	

Base Point	Distance between base points (n. miles)
(14) The Line Connecting Points A to Point F <i>(pts. 174-179)</i>	
A. 44°37'47"N 146°57'10"E	13.01
B. 44°49'00"N 147°06'25"E	24.18
C. 45°06'25"N 147°30'02"E	25.91
D. 45°25'46"N 147°54'26"E	1.08
E. 45°26'12"N 147°55'50"E	31.12
F. 45°32'03"N 148°39'17"E	
(15) The Line Connecting Points A to O <i>(pts. 180-194)</i>	
A. 43°48'25"N 146°54'43"E	5.97
B. 43°44'38"N 146°48'20"E	5.94
C. 43°42'12"N 146°40'52"E	1.51
D. 43°41'50"N 146°38'51"E	0.21
E. 43°41'56"N 146°38'36"E	2.88
F. 43°43'59"N 146°35'49"E	0.53
G. 43°44'25"N 146°35'24"E	0.21
H. 43°44'37"N 146°35'18"E	3.52
I. 43°48'08"N 146°35'19"E	0.12
J. 43°48'15"N 146°35'22"E	0.13
K. 43°48'20"N 146°35'30"E	1.01
L. 43°48'55"N 146°36'38"E	0.34
M. 43°49'06"N 146°37'02"E	7.79
N. 43°52'25"N 146°46'46"E	2.27
O. 43°53'16"N 146°49'41"E	

ANNEX III

Cabinet Order No. 206 of 1993³¹

Annexed Schedule 2

A. Designated Areas pertaining to Soya Kaikyo³²

B. The area of the sea enclosed by the following lines:

- (1) The line joining points 13(cc) and 13(dd) referred to in Annexed Schedule 1.³³
- (2) The line drawn at an angle of 105 degrees from point 13(dd) referred to in Annexed Schedule 1.
- (3) The line drawn at an angle of 15 degrees from the first intersection of the line referred to in the preceding subparagraph with the line which is 12 nautical miles seaward of the baseline (hereinafter referred to as "the 12-nautical-mile line").
- (4) The line drawn at an angle of 285 degrees from a point on the line referred to in the preceding subparagraph so as to be a tangent to the 12-nautical-mile line.
- (5) The line drawn at an angle of 358 degrees from point 13(cc) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (6) The line drawn at an angle of 285 degrees from the end of the line referred to in the preceding subparagraph.
- (7) The line drawn at an angle of 15 degrees from the intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.

C. The line drawn at a distance of 3 nautical miles seaward of the baseline (hereinafter referred to as "the 3-nautical-mile line") within the designated area, and the lines pertaining to the designated area referred to in subparagraphs (2) and (6) above (limited to those parts between the point of intersection with the 3-nautical-mile line and the point of intersection with the 12-nautical-mile line).

A. Designated Area Pertaining to Tsugaru Kaiyo

B. The area of the sea enclosed by the following lines and the coast:

- (1) The line joining points 12(k) and 12(l) referred to in Annexed Schedule 1.³⁴
- (2) The line drawn at an angle of 16 degrees from point 12(m) referred to in Annexed Schedule 1 to the point 3 nautical miles away.

³¹ This text is taken from United Nations *Law of the Sea Bulletin No. 35*, 1997, 90-94.

³² Kaikyo, translated to English, is strait. Soya Kaikyo is also known as La Perouse.

³³ Annexed Schedule 1 is not reproduced in this study. The geographical coordinates of Schedule 1 are listed in Annex II of this study. The points cited in this sentence (cc and dd) are listed as points cc and dd in Group 13 in Annex II.

³⁴ Points cited in this designation with letters preceded by a 12 can be found as points with those letters in Group 12 of Annex 2 of this study; those points preceded by the number 13 can be found in Group 13.

- (3) The line drawn at an angle of 90 degrees from the end of the line referred to in the preceding subparagraph.
- (4) The line drawn at an angle of 0 degrees from the intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.
- (5) The line drawn at an angle of 326 degrees from point 12(k) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (6) The line drawn at an angle 235 degrees from the end of the line referred to in the preceding subparagraph with the 12-nautical-mile line.
- (7) The line drawn at an angle of 325 degrees from the intersection of the line referred to in preceding subparagraph with the 12-nautical-mile line.
- (8) The line joining points sequentially from points 13(e) to 13(m) referred to in Annexed Schedule 1.
- (9) The line drawn at an angle of 145 degrees from point 13(m) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (10) The line drawn at an angle of 235 degrees from the end of the line referred to in the preceding subparagraph.
- (11) The line drawn at an angle of 149 degrees from point 13(e) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (12) The line drawn at an angle of 90 degrees from the end of the line referred to in the preceding subparagraph.

C. The 3-nautical-mile line within the designated area and the lines pertaining to the designated area referred to in subparagraphs (3), (6), (10), and (12) above (limited to those parts between the point of intersection with the 3-nautical-mile line and the point of intersection with the 12-nautical-mile line).

A. Designated Area pertaining to Tusima Kaikyo Higasi Suido³⁵

B. The area of the sea enclosed by the following lines:

- (1) The line joining points 9(s) and 9(t) referred to in Annexed Schedule 1.³⁶
- (2) The line drawn at an angle of 12 degrees from a point on the line referred to in the preceding subparagraph so as to pass the point located at an angle of 282 degrees and 12 nautical miles away from the point at 34°14'29" North Latitude and 130°6'3" East Longitude (the west-northwesternmost point of Oki-no-Sima).
- (3) The line joining points 9(s) and 9(r) referred to in Annexed Schedule 1.
- (4) The line drawn at an angle of 270 degrees from a point on the line referred to in the preceding subparagraph so as to pass the point located at an angle of 359 degrees and 12 nautical miles away from the point at 33°18'10" North Latitude and 129°7'39" East Longitude (the northernmost point of Tusimase Hana, Uju Sima)
- (5) The line joining points sequentially from 10(g) to 10(k) referred to in Annexed Schedule 1.

³⁵ Also known as the Eastern Channel of Tsushima Strait.

³⁶ Points cited in this designation with letters preceded by a 9 can be found as points with those letters in Group 9 of Annex 2 of this study; those points preceded by the number 10 can be found in Group 10.

- (6) The line drawn at an angle 155 degrees from point 10(k) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (7) The line drawn at an angle of 227 degrees from the end of the line referred to in the preceding subparagraph.
- (8) The line drawn at an angle of 120 degrees from point 10(g) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (9) The line drawn at an angle of 43 degrees from the end of the line referred to in the preceding subparagraph.
- (10) The line joining the intersection of the line referred to in subparagraph (2) with the 12-nautical-mile line and the first intersection of the line referred to in subparagraph (9) with the 12-nautical-mile line.
- (11) The line joining the intersection of the line referred to in subparagraph (4) with the 12-nautical-mile line and the intersection of the line referred to in subparagraph (7) with the 12-nautical-mile line.

C. The 3-nautical-mile line within the designated area and the lines pertaining to the designated area referred to in subparagraphs (2), (4), (7), and (9) above (limited to those parts between the point of intersection with the 3-nautical-mile line and the point of intersection with the 12-nautical-mile line).

A. Designated Area pertaining to the Tusima Kaikyo Nisi Suido³⁷

B. The area of the sea enclosed by the following lines:

- (1) The line joining points sequentially from 10(r) to 10(y) referred to in Annexed Schedule 1.
- (2) The line drawn at an angle of 322 degrees from point 10(y) referred to in the preceding subparagraph.
- (3) The line drawn at an angle of 52 degrees from the end of the line referred to in the preceding paragraph.
- (4) The line drawn at an angle of 322 degrees from the first intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.
- (5) The line drawn at an angle of 232 degrees from a point on the line referred to in the preceding subparagraph so as to be at a tangent to the 12-nautical-mile line.
- (6) The line drawn at an angle of 287 degrees from point 10(r) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (7) The line drawn at an angle of 197 degrees from the end of the line referred to in the preceding subparagraph.
- (8) The line drawn at an angle of 287 degrees from the first intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.
- (9) The line drawn at an angle of 17 degrees from a point on the line referred to in the preceding subparagraph so as to be at a tangent to the 12-nautical-mile line.

³⁷ Also known as the Western Channel of Tsushima Strait.

C. The 3-nautical-mile line within the designated area and the lines pertaining to the designated area referred to in subparagraphs (3) and (7) above (limited to those parts between the point of intersection with the 3-nautical-mile line and the point of intersection with the 12-nautical-mile line).

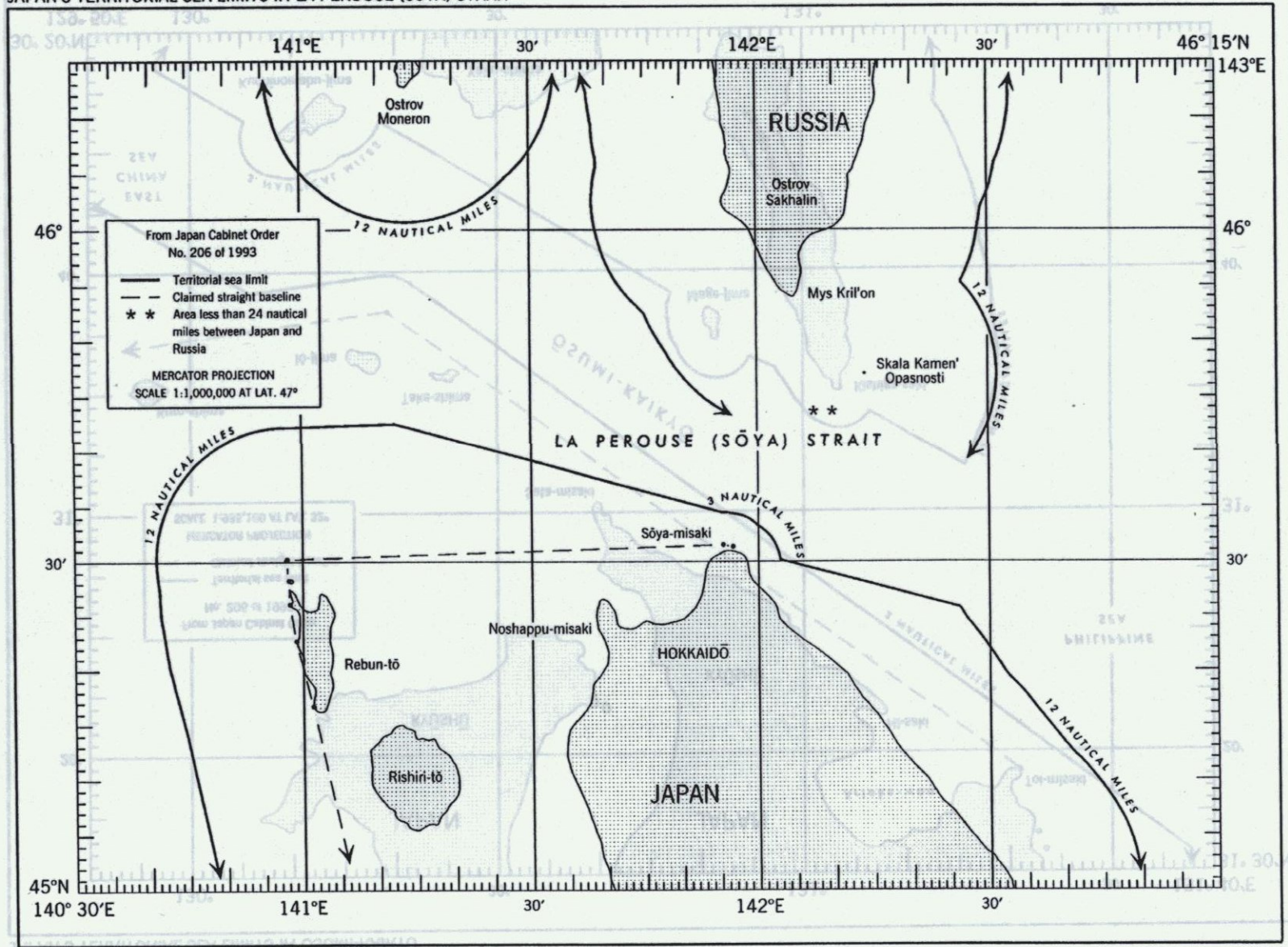
A. Designated Area pertaining to Osumi Kaikyo

B. The area of the sea enclosed by the following lines and the coast:

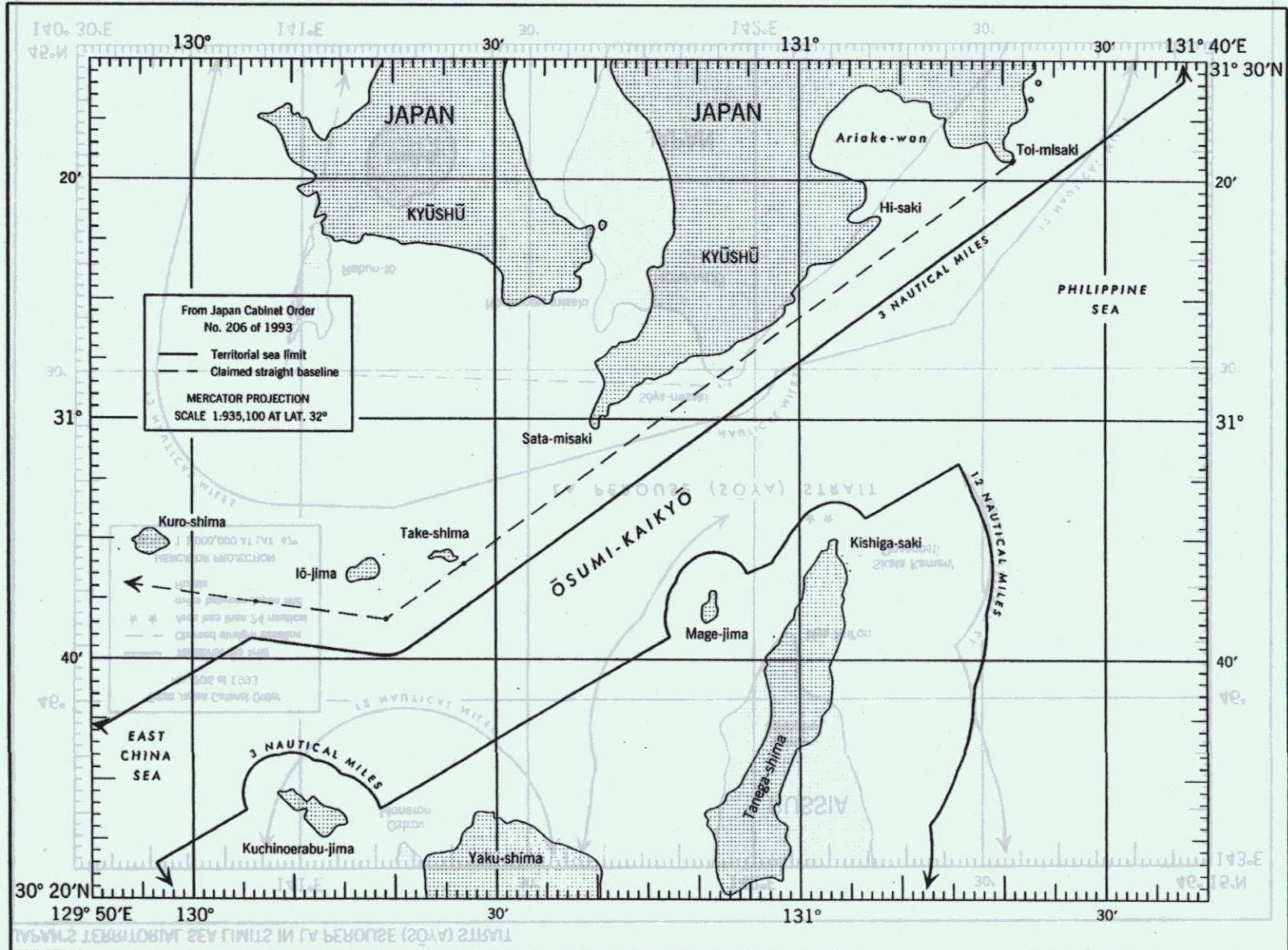
- (1) The line drawn at an angle of 60 degrees from the point at 30°50'20" North Latitude and 131°3'32" East Longitude (the northern-most point of Kisika Saki, Tane-ga-Sima).
- (2) The line joining the point at 30°50'20" North Latitude and 131°3'32" East Longitude (the northern-most point of Kisika Saki, Tanega Sima) and the point at 30°45'56" North Latitude and 130°51'34" East Longitude (the northern-most point of Kami-no-Misaki, Mage Sima).
- (3) The line joining the point at 30°43'22" North Latitude and 130°50'13" East Longitude (the southwestern-most point of Simo-no-Misaki, Mage Sima) and the point at 30°25'50" North Latitude and 130°15'58" East Longitude (the southeastern-most point of Mega Saki, Kuti-no-Erabu Sima).
- (4) The line drawn at an angle of 240 degrees from the point at 30°29'8" North Latitude and 130°8'42" East Longitude (the western-most point of No Saki, Kuti-no-Erabu Sima).
- (5) The line drawn at an angle of 330 degrees from the intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.
- (6) The line joining points sequentially from 9(b) to 9(e) referred to in Annexed Schedule 1.
- (7) The line drawn at an angle of 187 degrees from point 9(e) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (8) The line drawn at an angle 240 degrees from the end of the line referred to in the preceding subparagraph.
- (9) The line drawn at an angle of 144 degrees from point 9(b) referred to in Annexed Schedule 1 to the point 3 nautical miles away.
- (10) The line drawn at an angle of 54 degrees from the end of the line referred to in the preceding subparagraph.
- (11) The line drawn at an angle of 144 degrees from the first intersection of the line referred to in the preceding subparagraph with the 12-nautical-mile line.

C. The 3-nautical-mile line within the designated area and the lines pertaining to the designated area referred to in subparagraphs (1) to (4), (8) and (10) above (limited to those parts between the point of intersection with the 3-nautical-mile line and the point of intersection with the 12-nautical-mile line).

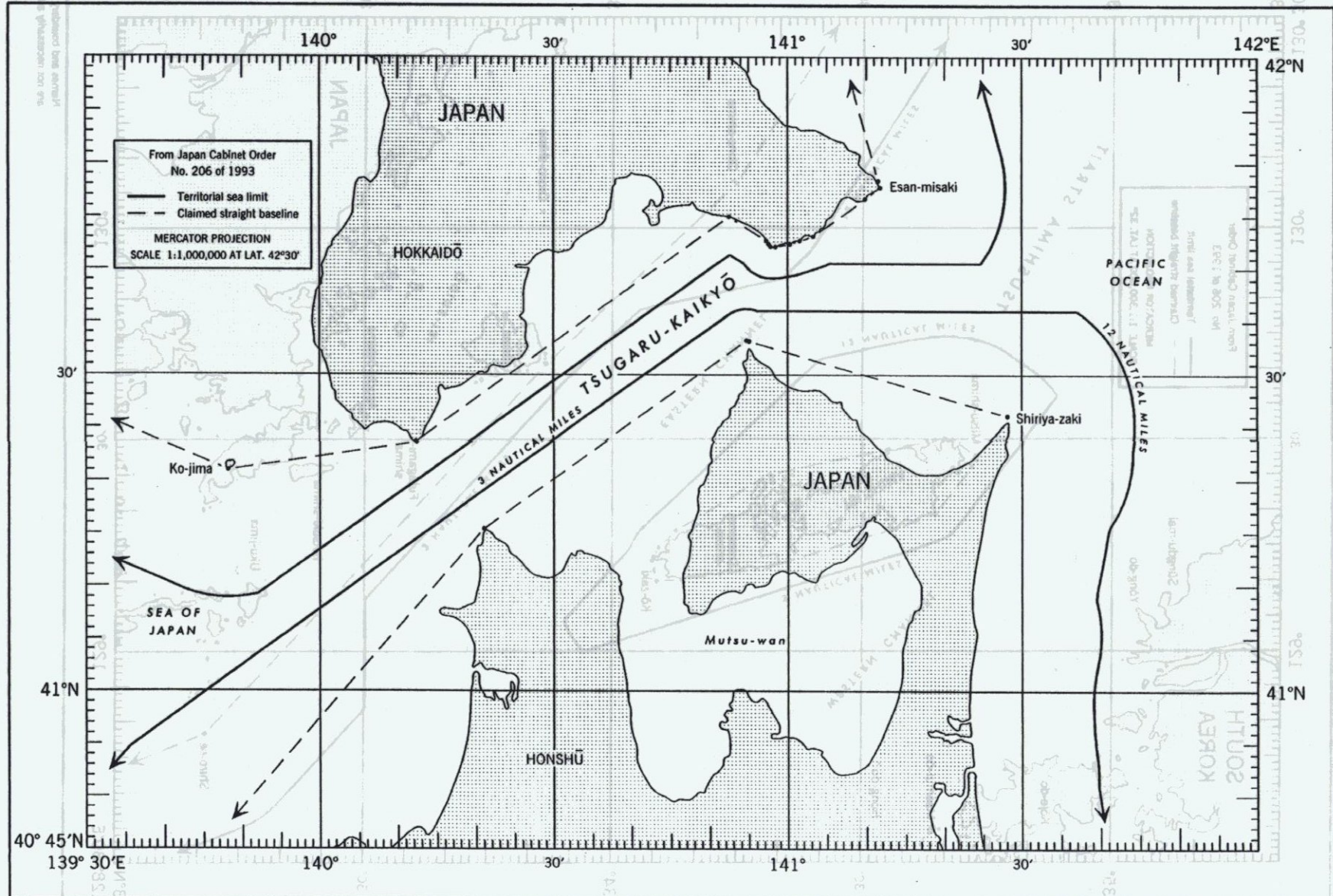
JAPAN'S TERRITORIAL SEA LIMITS IN LA PEROUSE (SŌYA) STRAIT



JAPAN'S TERRITORIAL SEA LIMITS IN ŌSUMI-KAIKYŌ



JAPAN'S TERRITORIAL SEA LIMITS IN TSUGARU-KAIKYŌ



TERRITORIAL SEA LIMITS IN TSUSHIMA STRAIT

